



**Austin City Council
MINUTES
For March 29, 1990**

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, approved minutes for regular meeting of March 20 and 22, 1990 and special meeting of March 20, 1990. (4-0 Vote, Councilmembers Barnstone, Humphrey and Urdy out of the room)

CITIZEN COMMUNICATIONS

Mr. Sam Griswold discussed aviation related topics and Mr. David Elliott talked about the economic impact of Manor airport. Mr. Tim Jones discussed environmental concerns of Earth Day and related topics.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (7-0 Vote)

Budget Amendment

Amended the FY 1989-90 General Fund Operating Budget by transferring a portion of the Risk Management Division budget function \$534,295.00 (net to General Fund), and fourteen FTE's from the Law Department to the Human Resources Department.

Speed Limits

Approved an amendment to the Austin City Code to modify the speed limit on Dessau Road from East Rundberg Lane to the Austin City Limits by increasing to 45 mph. Current speed limit for this area is 40 mph and is listed as Cameron Road in the City Code.

11-2-100(c) 45 mph

Add: Dessau Road from East Rundberg Lane to the north city limits (580 feet north of Brighton Lane).

Approved an amendment to the Austin City Code by establishing the speed limit on the Mo-Pac Expressway North (Loop 1) main lanes, at the current 55 mph.

11-2-100(e) 55 mph

Add: Mo-Pac Expressway North (Loop 1) main lanes northbound from 899 feet south of the center line of West Braker Lane (Station 151+20) to 772 feet north of the center line of Parmer Lane (Station 0+00)

11-2-100(e) 55 mph

Add: MoPac Expressway North (Loop 1) main lanes southbound from 772 feet north of the center line of Parmer Lane (Station 0+00) to 569 feet south of the center line of West Braker Lane (Station 147+90)

Approved an amendment to the Austin City Code to modify the speed limit on Cameron Road by retaining the 40 mph from East Anderson Lane to Park Center Drive and by increasing the speed limit to 45 mph from Park Center Drive to East Rundberg Lane.

11-2-100(b) 40 mph

Delete: Cameron Road from U.S. 183 to north city limits (580 feet north of Brighton Lane)

11-2-100(b) 40 mph

Add: Cameron Road from East Anderson Lane (U.S. 183) to Park Center Drive

11-2-100(c) 45 mph

Add: Cameron Road from Park Center Drive to East Rundberg Lane

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings for the following:

To acquire a drainageway easement containing 4,270 square feet of land out of the Santiago Del Valle Grant in Austin, Travis County, Texas, owned by N.W. Buerger Jr. and James N. Boughan for the Montopolis Drive Project.

To acquire a 15 foot temporary construction easement containing 5,250 square feet of land out of Lot 7, Ben White East, a subdivision in Austin, Travis County, Texas, owned by Ben White Ltd., a California Limited Partnership for the Montopolis Drive Project.

To acquire a Wastewater Easement containing 0.6313 acre (27,501 square feet) of land and four (4) Temporary Workspace Easements containing a total of 141,931 square feet out of the William Cannon League and the Santiago Del Valle Grant in Austin, Travis County, Texas, owned by the Cohan-Emmett Joint Venture for the North Centennial Park Wastewater Improvements Project.

Access Easement

Authorized release of a portion of the Pedestrian Access Easement (1,148 square feet out of .0263 Acres, Lot 1A, Amended Plat of Gabriel's Court Subdivision, Book 87, Page 102D, Travis County Plat Records), locally known as 2901 San Gabriel Street. (Request submitted by James M. Nias on behalf of San Gabriel, Ltd.)

Slaughter Lane Public Right-of-Way

Approved the execution of an agreement for Landscape Liability and Maintenance of the Slaughter Lane Public Right-of-Way in Circle C Subdivision. (Circle C Homeowner's Association has provided Letter of Credit for \$60,000.00)

Homecare Services

Approved an amendment and extension of an Interlocal Cooperation Agreement between the City of Austin and Travis County for Homecare Services. (No City funding is required - Travis County reimburses on a fee-for-service basis)

Contracts

Approved the following contracts:

WAUKESHA-PEARCE, Austin, Texas, for a hydraulic excavator in a total amount of \$161,316.00 (total amount \$161,316.00 included in General Services Budget for 1989-90.)

PRECO MACHINERY SALES, San Antonio, Texas, for the purchase of three broom-type street sweepers in the amount of \$260,436.00 and to INDUSTRIAL DISPOSAL SUPPLY CO., San Antonio, Texas, for the purchase of three regenerative air street sweepers, in the amount of \$201,789.00 for a grand total amount of \$462,225.00 included in the FY 1989-90 General Services budget.

Twelve month contract award to LOOMIS ARMORED INC., 78 East Avenue, Austin, Texas, for City-wide armored car services in an amount not to exceed \$45,756.00, included in FY 1989-90 operating budgets for Utility Customer Services - \$34,920.00; Financial Services - \$2,280.00; Water and Wastewater - \$1,848.00; Health Department - \$2,040; Municipal Court - \$2,052.00; Aviation - \$768.00; Brackenridge Hospital - \$1,848.00).

KUENSTLER MACHINERY CO., 8000 Blue Goose Rd., Manor, Texas, for a three month rental agreement for a fifteen cubic yard, self-loading land scraper not to exceed \$18,828.00 (included in the FY 1989-90 budget for the Environmental and Conservation Services Dept.)

G.S.X. CHEMICAL SERVICES INC., P.O. Drawer C, Greenbriar, Tennessee, in the amount not to exceed \$127,720.00 for the collection, transportation and disposal of household hazardous waste (Home Chemical Collection Day) for Environmental and Conservation Services Department.

AUSTIN MOTORCYCLE CO., INC., Austin, Texas, for ten motorcycles not to exceed \$62,360.00 (included in the FY 1989-90 budget for General Services Department).

F.S. BRAINARD AND COMPANY, Burlington, New Jersey, for rate-of-flow meter recorders not to exceed \$174,121.50 (\$174,121.50 from CIP Project No. 227795, Water Flow Monitoring.)

Twelve month supply agreement to W.H. RICHARDSON, Austin, Texas, for non-rechargeable batteries not to exceed \$45,058.00, included in the FY 1989-90 budget for General Services Department.

Grant

Authorized application for and acceptance of a Major Urban Resource Libraries (MURLS) \$40,413 grant from the Texas State Library and Archives Commission for the purchase of library reference materials for support of the Business Informational Center for the period September 1, 1990 to August 31, 1991. No City match required.

Wastewater Service Extension

Approved the Wormley Tract, Wastewater Service Extension Request No. 1352 and authorized City cost participation of \$9,100.00 as requested by Mrs. Alberta Wormley. (\$9,100.00 funding provided from Approach Main Cost Participation Transfers)

Architectural Services

Approved selection of ALAN Y. TANIGUCHI ARCHITECTS AND ASSOCIATES, 1609 West Sixth Street, Austin, Texas as consultant for professional architectural services for the Vehicle Service Facility, at St. Elmo Service Center. (Estimated maximum fee \$90,000.00 included in the General Services 1989-90 Capital Budget)

Approved selection of SINCLAIR BLACK AND ANDREW VERNOOY, AIA, 212 W. 4th Street, Austin, Texas, as consultant for professional architectural services for the Dougherty Arts Center Remodeling, 1110 Barton Springs Rd., Austin, Texas. (Estimated cost of services through bidding only: \$45,000 from 100 860 3302 of the Parks and Recreation Department's FY 1989-90 budget, balance paid by Factory Mutual Insurance Co.)

Interlocal Agreements

Approved entering into Interlocal Agreements with Barton Springs - Edwards Aquifer Conservation District and Austin Community College for election to be held May 5, 1990.

Approved entering into an Interlocal Agreement with Round Rock Independent School District for a joint polling place for election May 5, 1990.

ITEM POSTPONED

Postponed until April 5, 1990 is consideration of a waiver of the right-or-way use for construction permit fees for the Austin Convention Center, C.I.P. Project No. 493 827 1000, as specified by Ordinance No. 860508-A, and part of the City of Austin permitting fees. (Estimated cost for permit is \$924,000.00 to be charged to Convention Center Bonds, and transferred to General Fund operating budget).

HOUSING POLICY REVISION

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Shipman's second, approved a revision to the City's Affordable Housing Policy establishing St. John's as a priority neighborhood. (7-0 Vote)

WARRANT CLEARANCE OFFICE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance ON EMERGENCY BASIS amending the 1989-90 General Fund Operating Budget by transferring the Warrant Clearance Office (City Marshal) budget of \$321,657.00, the function and twelve FTE's from the Law Department to the Municipal Court. (7-0 Vote)

PARKS BOARD REPORT

Beverly Griffith, chairman, Parks Board, presented a report on the hours of operation for recreation centers and the Adopt-A-Recreation Center Program. Terry Colgan and Chuck Taylor discussed the opening of the recreation centers for Austin Youth Police Activities.

ELECTRIC AND TELEPHONE EASEMENTS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, adopted a resolution authorizing release of an Electric and Telephone Easement, in Lot 20, Block B, amended plat of Lots 14, 17, 19 and 20, Block B, Stoneledge II of record in Book 88, Page 90, Travis County Plat Records (TCPR), locally known as 5610 Bonnell Vista Street. (6-0 Vote, Mayor Pro Tem Shipman out of the room)

AVIATION ITEMS

Council had before them two items concerning aviation. One was to approve a change order to the construction contract between the City of Austin and Cahaba Construction Company for Mueller Airport interim terminal improvements, dealing with the creation of four additional rental car agency office/counters for \$200,000.00.

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Urdy, to adopt a resolution approving Change Order No. 21 to the construction contract between the City of Austin and Cahaba Construction Co., 13430 N.W.

Freeway, Suite 750, Houston, Texas, for the Robert Mueller Municipal Airport Interim Terminal Improvements, Phase III, for creation of four additional rental car agency office/counters for up to \$194,342.00.

Substitute Motion - FAILED

Councilmember Barnstone offered a substitute motion, seconded by Councilmember Humphrey to continue with the original scheme for rental car agency office/counters and add space 6 and 7. MOTION FAILED by a vote of 2-3-1-0 Mayor Cooke, Councilmember Carl-Mitchell and Urdy voted No, Mayor Pro Tem Shipman abstained, Councilmember Nofziger out of the room.

Roll Call on Main Motion

5-1-1 Vote, Councilmember Barnstone voted No, Mayor Pro Tem Shipman abstained.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving a contract to MILTON A. MORSE JR. & ASSOCIATES, INC., 2309 Hancock Dr., Austin, Texas, for Review Appraisal Services for the new Austin airport land acquisition, not to exceed \$488,100.00, C.I.P. No. 487-817-0503, subject to completion of Bergstrom study; once the Bergstrom study is complete, this contract is subject to go up to the full amount; appraisals are not to exceed 25 per month until the Bergstrom study is complete, or until June 1, 1990 if the Bergstrom study is not complete by then; with a friendly amendment by Mayor Cooke: " We should not exceed that and if there is a possibility that would be exceeded before we have a chance to debate and discuss in this forum the Bergstrom feasibility report that should be coming to the Council, then I would expect you to cease and bring that back to the Council". 6-1 Vote, Councilmember Barnstone voted No.

PUBLIC HEARING - STREET VACATION

Mayor Cooke opened the public hearing set for 3:30 P.M. to approve a street vacation. No one appeared to be heard.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving vacation of the following streets: (6-0 Vote, Councilmember Humphrey out of the room.)

Second Street (400 Block and 500 Block), a portion of the E. 2nd Street Alley (400 Block and 500 Block), E. 1st Street Alley (400 Block and 500 Block), and a portion of the Neches Street right of way (100 Block and 200 Block). [Request submitted by Real Estate Services Division of the City of Austin - no application fee will be assessed on this request]. (6-0 Vote, Councilmember Humphrey out of the room.)

PERMANENT SITE FOR NORTH LOOP BRANCH LIBRARY

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, directed the City Manager to analyze purchase options of the Americana Theatre as the North Loop Branch Library permanent site. (6-0 Vote, Councilmember Barnstone out of the room.)

HOGG FOUNDATION COMMUNITY LEADERSHIP CONFERENCE

David Austin, representing The University of Texas, gave a report on the Hogg Foundation's Community Leadership Conference on action for children and youth in Austin/Travis County.

EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

- (a) Wholesale water customer litigation before Texas Water Commission and State District Court.

RECESS

Council recessed from 4:00 to 4:20 P.M. for executive session.

RATE SETTLEMENT AGREEMENT

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Nofziger to approve entering into the Water and Wastewater Rate Settlement Agreement with the Springwoods Municipal Utility District, North Central Austin Growth Corridor Municipal Utility District No. 1, Wells Branch Municipal Utility District and the City of Rollingwood, and authorize entering into substantially the same agreement with all other wholesale customers.

Discussion followed, the question was called and Council voted 6-1, Councilmember Barnstone voting No, to call the question.

Roll Call on Motion

6-1 Vote, Councilmember Humphrey voted No.

RECYCLED ASPHALT PAVEMENT

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, adopted a resolution supporting the use of recycled asphalt pavement wherever possible. (6-0 Vote, Mayor Cooke out of the room)

PARK

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, directed the City Manager to pursue an interlocal agreement

for approval by Council with Travis County for the joint use and development of a park on 22.4 acres on the Williamson Creek Sewage Treatment Plant site, or any other alternative site the staff deems the best choice in terms of use and cost. (6-0 Vote, Councilmember Barnstone out of the room)

ASPHALT PLANT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution opposing the proposed location and operation of an asphalt plant near Oak Hill. (6-0 Vote, Mayor Cooke out of the room)

CITIZEN COMMUNICATIONS

Sue Schorer, Ruth Mitchell, Joy Sherwood and Beverly Watts Davis spoke to Council at the conclusion of the meeting, on various subjects.

ADJOURNMENT

Council adjourned the meeting at 5:42 P.M.